

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

GOLDEN BETHUNE-HILL, *et al.*,

Plaintiffs,

v.

VIRGINIA STATE BOARD OF ELECTIONS,
et al.,

Defendants,

v.

VIRGINIA HOUSE OF DELEGATES, *et al.*,

Intervenor-Defendants.

Civil Action No. 3:14-cv-00852-REP-GBL-
BMK

DECLARATION OF EUGENIA FRENZEL

I, Eugenia Frenzel, declare as follows:

1. I am the Director of Pricing and Practice Management Economics at Perkins Coie LLP (“Perkins Coie”) with an office located at 1155 Avenue of the Americas, 22nd Floor, New York, New York 10036-2711. I am also an attorney in good standing admitted to practice in the State of New York.

2. I submit this declaration in support of Plaintiffs’ Revised Second Motion for Attorneys’ Fees and Litigation Expenses (the “Fee Motion”).

3. I have personal knowledge of the facts stated in this declaration and, if called to testify, could and would testify competently to those facts.

4. I have worked at Perkins Coie since January 7, 2019.

5. Before joining Perkins Coie, I served in several pricing and practice management positions as Senior Manager, Pricing and Project Management at Goodwin Procter, LLP, New York, NY; Senior Manager of Pricing and Legal Project Management at Steptoe & Johnson LLP, New York, NY; Acting Strategic Pricing Director and Pricing Manager at Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York, NY; Manager of Paralegals at K&L Gates, LLP, New York, NY; and, Associate at Handal & Morofsky LLC, Norwalk, CT.

6. I have extensive experience in law firm economics and law firm rate structures. I hold a designation of Accredited Legal Pricing Professional (“ALPP”) from the True Value Partnering Institute (“TVPI”) which is the legal industry’s first accredited legal pricing qualification. I am often asked to speak on pricing in law firms, practice management, legal operations, and legal pricing. In addition, I have contributed chapters related to legal pricing and law firm economics in several publications.

Some of my speaking engagements include:

- Legal Marketing Association P3 (The Practice Innovation Conference), *Forthcoming*, 2020, Chicago, IL, *Negotiation Techniques*.
- ARK Group US, *Forthcoming*, 2020, Chicago, IL, *The Mechanics of Law Firm Profitability: People, Process & Technology: Changing the Scope of Matter Management in Support of Client Value, Practice Efficiency and Law Firm Profitability*.
- Legal Marketing Association, Northeast, New York, NY, Nov, 2019, *The Business of Law: Driving the Pricing and Client Value Conversation*.
- Quinnipiac Law School, Sep., 2019, North Haven, CT, *Law Firm Operations*.

- Intapp Connect UK, May, 2019, London, UK, NY, *Law Firm Pricing*.
- Intapp Connect US, Mar., 2019, New York, NY, *Law Firm Pricing*.
- Legal Marketing Association P3 (The Practice Innovation Conference), May 2018, Chicago, IL, *Leveling the Playing Field: Take the Guesswork Out of Law Firm Data Requests*.
- Marcus Evans, Sep. 2017, Chicago, IL, *A Law Firm's Practical Guide to Pricing and Profitability; Effectively Managing Client Expectations*.
- PRAXIS, Feb. 2017, Orlando, FL, *Law Firm Profitability; Outside Counsel Guidelines*.
- ILTACON, Sep. 2016, Washington, D.C., *The Hidden Implications Of Outside Counsel Guidelines On the Bottom Line*.

Some of my publications include:

- *Law Firm Pricing and Analytics*. Clocktimizer, Feb. 2020.
- *The Future of Profitability Models and Analysis for Law Firms*. ARK Group. May, 2019.

7. In my role as a Director of Pricing and Practice Management Economics at Perkins Coie, I am focused on forging and strengthening lasting client relationships through tailored pricing, effective matter management, and synergistic collaboration. Perkins Coie strives to offer rates that reflect the value of its services and that are competitive in the various markets that the firm serves. In benchmarking our rate structure, Perkins Coie analyzes market survey data available from various sources. Sources include proprietary, often anonymized surveys that collect rate data from the majority of AmLaw 100 firms and AmLaw 200 firms. This data provides information related to rates for various market regions, including Richmond,

Virginia. Other proprietary surveys collect publicly-available information showing law firm billing rates in particular markets. Upon information and belief, and based on my knowledge of and training in law firm economics, my experience with colleagues from other firms, and my association with professional organizations, including TVPI, LMA P3, and Legal Value Network, these sources are relied upon by law firms across the country, along with other sources, in setting law firm rate structures, both regionally and nationally.

8. In my role at Perkins Coie, I am responsible for ensuring that the billing rates of the attorneys in each office are reasonable and commensurate with the billing rates being charged by comparable firms, both in the relevant region and nationally. In this capacity, I have personally reviewed and analyzed market survey data from sources in setting attorney billing rates.

9. I have reviewed the 2017, 2018, and 2019 standard billing rates, as well as the requested "Richmond" billing rates for the following timekeepers staffed in the above-captioned matter: Marc Elias (partner); Elizabeth Frost (partner) Kevin Hamilton (partner); Abha Khanna (partner); John Roche (partner); Ryan Spear (partner); Bruce Spiva (partner); William Stafford (partner); Aria Branch (associate); Ruthzee Louijeune (associate); Mallory Webster (associate) Michelle Depass (paralegal); Patricia Marino (paralegal); Rachel Roberts (paralegal). Based on my experience, I can confirm that each of these rates is reasonable and commensurate with the rates charged by law firms of comparable quality and prestige in the Richmond Virginia area for attorneys of comparable skill, experience, and reputation. In fact, our rates for partners fall below the upper end of the median range for senior partners and toward the lower end of the median range for partners in the Richmond Virginia area. Our associate rates are extremely competitive, and fall below the upper end of the median range.

10. I also have reviewed the market survey data described above, in paragraph 7, and have confirmed that the rates charged for this matter are comparable to the rates for comparable firms in Richmond:

- a. Our senior and partner rates fall below the upper end of the median range for senior and more junior partners; and
- b. The rates for associates fall below the upper end of the median range for associates within their respective years of experience.

11. The survey data I have relied upon are proprietary and confidential, and the terms of our agreements with the data sources do not provide us with permission to file survey data results or market data with this declaration.

12. I declare under penalty of perjury that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing statements are true and correct.

Executed this 8 th day of May, 2020 in Milford, CT.


Eugenia Frenzel

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of May, 2020, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the counsel of record in this case.

By /s/ Aria C. Branch
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